



THE CITY OF NEW YORK  
**LAW DEPARTMENT**

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(not for service)

December 20, 2023

**BY ECF**

Honorable John G. Koeltl  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

APPLICATION GRANTED  
SO ORDERED

12/21/23

  
John G. Koeltl, U.S.D.J.

Re: *Zimmerman v. Banks*, 23-cv-9003 (JGK)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for Defendants the New York City Department of Education ("DOE") and DOE Chancellor David Banks in the above-referenced action. I write, jointly with Plaintiffs' counsel, to respectfully request a three-week extension of time, from December 20, 2023, until January 10, 2024, for parties to file a Rule 26(f) report.

By way of background, Plaintiffs' Complaint was filed on October 12, 2023 (ECF No. 1). Plaintiffs seek implementation of an administrative decision on behalf of the Plaintiff-student, including, among other things, direct tuition payments to iBrain, a private school of their unilateral choosing. On November 16, 2023, Defendants requested, with Plaintiffs' consent, and were granted (ECF No. 8), an extension of time to file their Answer. Defendants filed their Answer on December 4, 2023 (ECF No. 10). The Court has scheduled this matter for an Initial Conference on February 1, 2024, and the Court has ordered the parties to file a Rule 26(f) report by December 20, 2023 (ECF No. 11).

This adjournment request is being made to give the parties an opportunity to continue to discuss the legal and factual allegations of the case and its trajectory. Scheduling conflicts in light of the recent and upcoming holidays have prevented the parties from having necessary in-depth discussions regarding the issues at hand. With the additional time, the parties

will aim to tease out the issues and avoid unnecessary waste of the Court's time and resources. If granted, no other deadlines would be affected.

As indicated above, I have communicated with the office of Plaintiffs' counsel, and this request is made jointly.

I thank the Court for its time and consideration of this request

Respectfully submitted,

*s/*

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Kevon Z.A. Weekes  
Assistant Corporation Counsel

cc: All counsel of record (via ECF)